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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,535	07/10/2006	Wolfgang Hermann	PD040008	5920

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Thomson Licensing LLC  
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EXAMINER
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PALADINI, ALBERT WILLIAM

ART UNIT	PAPER NUMBER
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2836

MAIL DATE	DELIVERY MODE
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09/08/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/585,535	<b>Applicant(s)</b> HERMANN ET AL.	
	<b>Examiner</b> ALBERT W. PALADINI	<b>Art Unit</b> 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/10/06</u>   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential circuitual cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

### ***Claim 1***

The phrase "the switching element bridging a switching contact of the main switch" is not clear. From the claim phraseology, it is assumed that the switching element is connected to the first switching contact of the main switch since this provides the only possible path between the power supply and the load. The path would be from the power supply to the mains switch through the switching contact through the switching element through the control terminal and to the load. However, the claim also recites that the "control voltage" is applied to the "control terminal". It does not seem logical that the only path between the power supply and the load is from the Main switch through the switching element and through the control terminal to the load, since the control terminal is used to turn off the load when opening the switching element via the control voltage.

Appropriate correction and clarification is required.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Kohda (6,420,906).

In order to expedite and avoid piecemeal prosecution, the following rejection is made to the extent that the claims are understood, by considering those elements which are understood and interpreting their function in a manner which is consistent with the recited goals of the claims, and then applying the best available art.

In figure 2, (C5, L57)-(C7, L13), Kohda discloses a circuit arrangement having a power supply unit 11, a main switch 13, a switching element 15 bridging a switching contact S of main switch 13, where switching element has a control terminal G which receives a control voltage, where switching element 15 can turn the load off or upon depending upon the voltage depending upon the voltage from the comparator 16.

5. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Takagi (6,650,552).

In order to expedite and avoid piecemeal prosecution, the following rejection is made to the extent that the claims are understood, by considering those elements which

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are understood and interpreting their function in a manner which is consistent with the recited goals of the claims, and then applying the best available art.

In figure 17, (C3, L37) – (C5, L38) Takagi discloses a circuit arrangement having a power supply 302, a main switch 309, and a switching element 310 with a control terminal Vgs310 coupled to a terminal of main switching element 310, where switching element 310 is coupled to load 306 and can switch load 306 off based upon voltage received from control circuit 332.

6. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Wesling (4,381,479).

In order to expedite and avoid piecemeal prosecution, the following rejection is made to the extent that the claims are understood, by considering those elements which are understood and interpreting their function in a manner which is consistent with the recited goals of the claims, and then applying the best available art.

In figure 12, (C8, L14) – (C8, L14), Wesling discloses a circuit arrangement consisting of a main power supply, a main switch T1, a switching element T2 which is connected to a terminal of main switch T1. Switching element T2 receives a control voltage from conduction control apparatus 15 and can turn load 12 off when the correct control voltage is applied to switching element T2.

7. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Prines (4,257,092).

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In order to expedite and avoid piecemeal prosecution, the following rejection is made to the extent that the claims are understood, by considering those elements which are understood and interpreting their function in a manner which is consistent with the recited goals of the claims, and then applying the best available art.

In figure 11, (C2, L30) – (C3, L7), Prines discloses a circuit arrangement consisting of a main power supply 10, a main switch 14, a switching element 30 which is connected to a terminal of main switch 14. Switching element 30 receives a control voltage from conduction control apparatus 15 and can turn load 12 off when the correct control voltage is applied to switching element 15.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Albert W. Paladini whose telephone number is 571-272-3748. The examiner can normally be reached from 7:00 AM to 3 PM on Monday, Tuesday, Thursday or Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/Albert W Paladini/  
Primary Examiner, Art Unit 2836

9/3/09